

STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
FAX (402) 471-3297 or (402) 471-4725

LICENSURE UNIT

FEB 27 2012

RECEIVED

JON BRUNING
ATTORNEY GENERAL

JULIE L. AGENA
ASSISTANT ATTORNEY GENERAL

February 23, 2012

VIA INTERAGENCY MAIL

Helen L. Meeks
Licensure Unit Administrator
NDHHS Division of Public Health
301 Centennial Mall North, 3rd Floor
Lincoln, NE 68509

RE: Julie Waddell, M.D.
Assurance of Compliance

Dear Ms. Meeks:

Enclosed are the following documents:

1. original, fully executed, Assurance of Compliance; and
2. a copy of the transmittal letter to Dr. Waddell dated February 23, 2012.

The above-referenced documents may be filed with the public record of Dr. Waddell's physician license.

Sincerely,

JON BRUNING
Attorney General

Julie L. Agena
Julie L. Agena
Assistant Attorney General

Enclosure
cc: Ruth Schuldt (w/encl.)
44-130a-14

THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FEB 27 2012
 DIVISION OF PUBLIC HEALTH
 STATE OF NEBRASKA RECEIVED

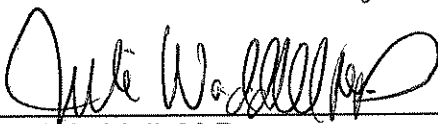
IN THE MATTER OF)
)
 THE LICENSE OF) ASSURANCE OF COMPLIANCE
)
 JULIE WADDELL, M.D.,)

Julie Waddell, MD, ("Dr. Waddell") and the Attorney General's Office for the State of Nebraska enter into this Assurance of Compliance by agreeing as follows:

1. Dr. Waddell is the holder of a license to practice as a physician (#23224) issued by the Nebraska Department of Health and Human Services Division of Public Health ("Department").
2. On June 2, 2011, Dr. Waddell was disciplined by the Iowa Board of Medicine.
3. It is alleged that Dr. Waddell failed to report her disciplinary action taken by the Iowa Board of Medicine to the Department within the mandatory reporting time.
4. Neb. Rev. Stat. § 38-178(18) (Reissue 2008) provides that a professional license to practice as a physician may be disciplined for failure to file a report required by Neb. Rev. Stat. § 38-1,124 or §38-1,125 (Reissue 2008).
5. Neb. Rev. Stat. § 38-1,125(1)(c)(v) (Reissue 2008) requires that a licensed professional must report to the Department within thirty (30) days disciplinary action taken against any credential taken by any jurisdiction.
6. Dr. Waddell agrees to familiarize herself and comply with Neb. Rev. Stat. § 38-1,125 (Reissue 2008), commonly known as the mandatory reporting law.

7. Neb. Rev. Stat. § 38-178(21) (Reissue 2008) provides that a license to practice as a physician may be disciplined for a violation of an assurance of compliance entered into under Neb. Rev. Stat. § 38-1,108 (Reissue 2008).
8. This Assurance of Compliance is not a disciplinary action against Dr. Waddell's license to practice as a physician.
9. This Assurance of Compliance is entered pursuant to Neb. Rev. Stat. § 38-1,108 (Reissue 2008) and shall become effective ten (10) days from the date it is signed by the Attorney General's Office.

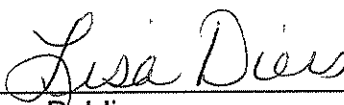
Dated this 20th day of February, 2012.



Julie Waddell, M.D.,

State of Nebraska)
County of Douglas) ss.

This Assurance of Compliance was acknowledged before me by Julie Waddell, MD, on this 20th day of February, 2012.




Notary Public
My Commission Expires:



Dated this 23rd day of February, 2012.

By: JON BRUNING, #20351
Attorney General

By: 
Julie L. Avena, #23137
Assistant Attorney General
2115 State Capitol
Lincoln, NE 68509

44-2181-3



STATE OF NEBRASKA
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JON BRUNING
ATTORNEY GENERAL

JULIE L. AGENA
ASSISTANT ATTORNEY GENERAL

February 23, 2012

Julie Waddell, M.D.
9200 Rockland Circle
Lincoln, Nebraska 68526

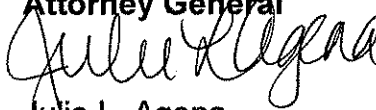
RE: Assurance of Compliance

Dear Dr. Waddell:

Enclosed is a signed copy of the Assurance of Compliance for your records. You are encouraged to maintain conformity with the Assurance of Compliance as a violation can be the basis to take action which would adversely affect your ability to continue practicing as a physician in the State of Nebraska. Please call if you have any questions

Sincerely,

JON BRUNING
Attorney General


Julie L. Agena
Assistant Attorney General

Enclosure
pc: Helen Meeks (w/encl.)
Ruth Schuldt (w/encl.)
44-130-14

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH
STATE OF NEBRASKA

STATE OF NEBRASKA ex rel.,
JON BRUNING, Attorney General,

Plaintiff,

vs.

JULIE WADDELL, M.D.,

Defendant.

H10-3657

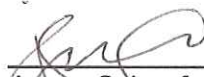
ORDER ON
AGREED SETTLEMENT

A proposed Agreed Settlement was filed with the Department on November 15, 2010.

ORDER

1. The Agreed Settlement is adopted, attached hereto and incorporated by reference.
2. The facts as set out in the petition are taken as true and adopted herein.
3. The parties shall comply with all of the terms of the Agreed Settlement.
4. The civil penalty payment(s) shall be mailed to DHHS Division of Public Health, Licensure Unit, ATTN: Rita Thalken, 301 Centennial Mall South, P.O. Box 94986, Lincoln NE 68509.

DATED this 15 day of November, 2010.



Joann Schaefer, M.D.
Chief Medical Officer
Director, Division of Public Health
Department of Health and Human Services

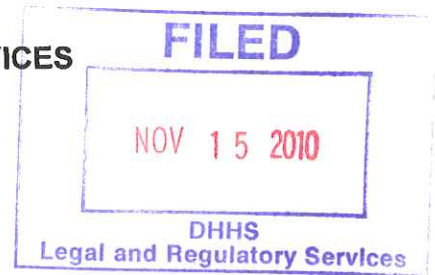
CERTIFICATE OF SERVICE

COMES NOW the undersigned and certifies that on the 16th day of November, 2010 a copy of the foregoing **ORDER ON AGREED SETTLEMENT** was sent by United States certified mail, postage prepaid, return receipt requested, to **Daniel E. Klaus, Rembolt Ludtke, 1201 Lincoln Mall, Suite 102, Lincoln, NE 68508** and by interoffice mail to **Susan M. Ugai**, Assistant Attorney General, 2115 State Capitol, Lincoln, Nebraska.



Keith B. Roland
DHHS Legal and Regulatory Services
P.O. Box 98914
Lincoln NE 68509-8914
P. (402) 471-7237 F. (402)742-2376

THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH
STATE OF NEBRASKA



STATE OF NEBRASKA ex rel. JON)
BRUNING, Attorney General,)
)
Plaintiff,)
)
vs.)
)
JULIE WADDELL, M.D.,)
)
Defendant.)

AGREED SETTLEMENT

The Plaintiff and the Defendant, Julie Waddell, M.D., in consideration of the mutual covenants and agreements contained herein, agree as follows:

1. The Defendant, Julie Waddell, M.D., was issued a license (#23224) by the Nebraska Department of Health and Human Services Division of Public Health ("Department") to practice as a physician in the State of Nebraska. The license is currently held by the Defendant.

2. Before disciplinary measures may be taken against the Defendant's license, the Defendant is entitled to a hearing as provided by law. The Defendant waives the right to a hearing. The Defendant waives any right to judicial review of an order by the Department's Chief Medical Officer which approves the terms of this Agreed Settlement.

3. No coercion, threats, or promises, other than those stated herein, were made to the Defendant to induce her to enter into this Agreed Settlement.

4. The Defendant acknowledges that she is also licensed to practice medicine in the State of Iowa.

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5. The Defendant acknowledges that she has read the Petition for Disciplinary Action filed by the Attorney General's Office. The Defendant admits the allegations of the Petition for Disciplinary Action.

6. The Defendant and the Plaintiff consent to the Chief Medical Officer entering a final disciplinary order which censures Defendant's license and imposes a civil penalty in the amount of Seven Thousand Five Hundred Dollars (\$7,500.00). The civil penalty shall be payable in full within six (6) months from the date the Chief Medical Officer enters a disciplinary order in accordance with this Agreed Settlement. In the event the Defendant fails to pay the civil penalty in full by the stated deadline, the Chief Medical Officer may summarily suspend the Defendant's license, which suspension shall remain in effect until the civil penalty is paid in full.

7. The Defendant shall, at her own expense, complete a Board pre-approved prescribing course within six (6) months from the date the Chief Medical Officer enters a disciplinary order in accordance with this Agreed Settlement. The Defendant shall provide proof to the Board of Medicine and Surgery that she has completed this course.

8. The Attorney General's Office has given notice of this Agreed Settlement to the Board of Medicine and has received their input in accordance with NEB. REV. STAT. §§ 38-190 (Reissue 2008) and 71-161.03 (Reissue 2003).

9. If this Agreed Settlement is not approved by the Chief Medical Officer, this Agreed Settlement shall become null and void and will not be admissible for any purpose at any hearing that may be held on this matter.

AGREED TO:

BY:

Julie Waddell MD
Julie Waddell, M.D.
Defendant.

State of Nebraska

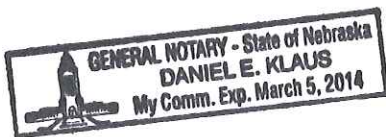
)

) ss.

County of LANCASTER

)

Acknowledged before me by Julie Waddell, M.D., on this 8th day of
September, 2010.



Daniel E. Klaus
Notary Public
My Commission Expires:

THE STATE OF NEBRASKA, ex rel.
JON BRUNING, Attorney General,
Plaintiff,

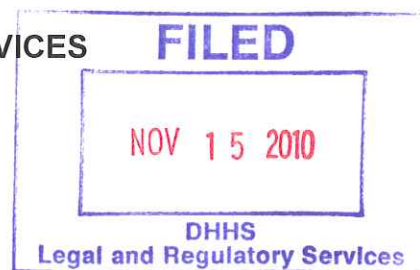
BY: JON BRUNING, #20351
Attorney General

BY:

Susan M. Ugai
Susan M. Ugai, #16677
Assistant Attorney General
2115 State Capitol
Lincoln, NE 68509
(402) 471-9658

Attorneys for Plaintiff.

THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH
STATE OF NEBRASKA



STATE OF NEBRASKA, ex rel. JON)
BRUNING, Attorney General,)
)
Plaintiff,)
)
vs.)
)
JULIE WADDELL, M.D.,)
)
Defendant.)

PETITION FOR
DISCIPLINARY ACTION

The Plaintiff alleges as follows:

1. Jurisdiction is based on NEB. REV. STAT. §§ 38-176, 38-186, 38-196 (Reissue 2008) and 71-150 (Reissue 2003).
2. At all times relevant herein, the Defendant, Dr. Julie Waddell, M.D., has been the holder of license #23224 which was issued by the Nebraska Department of Health and Human Services Division of Public Health ("Department") for her practice as a medical doctor.
3. The Department is the agency of the State of Nebraska authorized to enforce the laws of Nebraska regulating the practice of medicine.
4. The Nebraska Board of Medicine and Surgery considered the investigation of this matter and made its recommendation to the Attorney General, which recommendation has been considered. Such matters are privileged pursuant to NEB. REV. STAT. §§ 38-1,105, 38-1,106 (Reissue 2008), 71-168.01(7), and 71-168.01(8) (Reissue 2003).
5. On June 13, 2007, Defendant wrote a prescription for Valium for stock supply in her clinic. Defendant sent an employee to K.P. to have the prescription filled, and the pharmacy refused.

6. On June 28, 2007, nurse T.S. gave patient C.M. 10 mg of Diazepam from a prescription bottle labeled D.W. pursuant to the Defendant's order.

7. D.W. is the Defendant's husband, and Defendant brought the prescription into the office from her home.

8. NEB. REV. STAT. §§ 38-178(23) (Reissue 2008) and 71-147(10) (2006 Cum. Supp.) provide that a professional license may be disciplined for unprofessional conduct.

9. Defendant's conduct of dispensing a controlled substance to a patient from a prescription written for a third party is unprofessional conduct and is grounds for discipline.

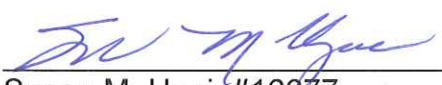
10. Defendant's conduct of writing a prescription for stock valium is unprofessional conduct and is grounds for discipline.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiff prays that the Chief Medical Officer set this matter for hearing, order appropriate disciplinary action pursuant to NEB. REV. STAT. §§ 38-183 (Reissue 2008) and 71-155 (Reissue 2003), and tax the costs of this action to the Defendant.

STATE OF NEBRASKA ex rel. JON
BRUNING, Attorney General, Plaintiff,

BY: JON BRUNING, #20351
Attorney General

BY: 
Susan M. Ugai, #16677
Assistant Attorney General
2115 State Capitol
Lincoln, NE 68509
(402) 471-2682

Attorneys for the Plaintiff.